

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

GEORGE COX, on behalf of himself)	
and all others similarly situated,)	
)	
Plaintiff,)	
)	
v.)	No. 3:06-cv-115
)	(Jordan/Guyton)
KNOX COUNTY BOARD OF)	
EDUCATION,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the undersigned pursuant to 28 U.S.C. § 636(b), the Rules of this Court, and by the Order [Doc. 33] of the Honorable Leon Jordan, Senior United States District Judge, for disposition of the plaintiff's Motion to Compel [Doc. 32].

The plaintiff George Cox moves the Court for an Order compelling the defendant Knox County Board of Education to make its initial disclosures required by Fed. R. Civ. P. 26(a)(1) and to respond to the plaintiff's Revised First Interrogatories and Requests for Production of Documents propounded to the defendant on October 30, 2006. The plaintiff further moves for an award of attorneys' fees and costs incurred in filing this motion. [Doc. 32].

The defendant failed to file a response to the plaintiff's motion within the time period required by E.D.TN. LR 7.1(a). "Failure to respond to a motion may be deemed a waiver of any opposition to the relief sought." E.D.TN. LR 7.2. Accordingly, for good cause shown, the plaintiff's Motion to Compel [Doc. 32] is **GRANTED**. The defendant is **DIRECTED** (1) to make

its Fed. R. Civ. P. 26(a)(1) initial disclosures and (2) to respond to the plaintiff's Revised First Interrogatories and Requests for Production of Documents within twenty (20) days of the entry of this Order.

The plaintiff's request [Doc. 32] for an award of attorneys' fees and costs is **DENIED**. However, the defendant is hereby put on notice that failure to cooperate in discovery and to follow the Orders of this Court may result in monetary sanctions and possibly the entry of judgment against it. See Fed. R. Civ. P. 37(b)(2)(C).

IT IS SO ORDERED.

ENTER:

s/ H. Bruce Guyton
United States Magistrate Judge